IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIRST DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 36211 of 1998

Between:

Lorry Owners Association, Jagayyapet, regd.No. 374/91,
rep. by its President Shri Shaik Lal Ahmed,
S/o. Amir Saheb, r/o Jagayyapet, Krishna Dist.

..... PETITIONER

AND

1 The Inspector of Police, Jagayyapet, Krishna District.
2 The Sub-Inspector of Police, Jagayyapet, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly in the nature of Writ of mandamus declaring the action of the respondents in not allowing the lorries into the Jagayyapet town either to load or unload the consumer goods, Agricultural products etc., as arbitrary illegal and violative of Art. 19(1) (g) of the Constitution of India and consequently direct the respondents to restrain and not to interfere with the free passage of lorries into the Jagayyapet town, Krishna District without followign the process of law.

For the Petitioner: MR.P.PRABHAKAR RAO, Advocate.

For the Respondents: GP FOR HOME (not present)

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner.

The grievance of the petitioner-Lorry Owners Association is that the respondents are not allowing their lorries to pass through into the town of Jagayyapet, Krishna District between 6 a.m. and 10 p.m., as a result of which lot of inconvenience is being caused to them in transporting the goods into the town. Therefore, seeking a direction to the respondents not to interfere with the free passage of lorries into the town without following the due process of law, the petitioner filed this writ petition.

Though the writ petition was admitted in the year 1999, no counter-affidavit has been filed till date. None appeared on behalf of the respondents.

Having regard to the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to direct the petitioner-Association to make a representation to the respondents putting forth their grievance. On such representation being made, the respondents shall consider the same and take necessary action thereon. The respondents are also at liberty to regulate the traffic timings of the lorries in the town after considering the objection of the petitioner-Association.

With the above directions, the writ petition is disposed of. No costs.

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N.V. RAMANA, J

Date: 21-02-2005

Svv

To

1 The Inspector of Police, Jagayyapet, Krishna District.
2 The Sub-Inspector of Police, Jagayyapet, Krishna District.

3 Two CCs. to the Government Pleader for Home, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CD copies.